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Filing date: **09/04/2020**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

|                        |   |
|------------------------|---|
| Proceeding             | 91256274  |
| Party                  | Defendant<br>Mpact Beverage Solutions, LLC  |
| Correspondence Address | JOHN S. EGBERT<br>EGBERT, MCDANIEL & SWARTZ, PLLC<br>1001 TEXAS AVE., STE. 1250<br>HOUSTON, TX 77002<br>UNITED STATES<br>Primary Email: mail@emsip.com<br>Secondary Email(s): USPTO@dockettrak.com<br>No phone number provided. |
| Submission             | Other Motions/Papers  |
| Filer's Name           | John S. Egbert  |
| Filer's email          | mail@emsip.com  |
| Signature              | /2858-9/  |
| Date                   | 09/04/2020  |
| Attachments            | 2858-9 Consent Mtn Abandon App Withdraw Opposition.pdf(16766 bytes )  |

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 88/615,046  
Published in the Official Gazette on February 11, 2020

|                                 |   |                         |
|---------------------------------|---|-------------------------|
| Heaven Hill Distilleries, Inc., | § |                         |
|                                 | § |                         |
| Opposer,                        | § |                         |
|                                 | § |                         |
| v.                              | § | Opposition No. 91256274 |
|                                 | § |                         |
| Mpact Beverage Solutions, LLC,  | § |                         |
|                                 | § |                         |
| Applicant.                      | § |                         |

**CONSENT MOTION TO EXPRESSLY ABANDON APPLICATION WITHOUT  
PREJUDICE AND DISMISS OPPOSITION WITHOUT PREJUDICE**

Pursuant to 37 CFR § 2.68 and TBMP § 218, Applicant Mpact Beverage Solutions, LLC, through its attorneys, hereby respectfully moves to expressly abandon U.S. Application Serial No. 88/615,046 without prejudice.

Upon the Board's acceptance of the express abandonment set forth above, pursuant to TBMP § 605.03(a), Opposer Heaven Hill Distilleries, Inc., through its attorneys, hereby respectfully moves to withdraw this opposition proceeding without prejudice.

This motion is being filed in accordance with the settlement agreement between the parties, and both parties consent to the filing of this motion.

Respectfully submitted,

/Matthew A. Williams/  
MATTHEW A. WILLIAMS

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ATTORNEYS FOR APPLICANT  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document is being sent by email on September 4, 2020, to the attorney of record for Opposer at the following address:

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Our File: 2858-9